

AMENDED

Nº 44211

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JUL 30 1981
Returned to applicant for correction.....
Corrected application filed.....
Map filed..... DEC 10 1981

The applicant Dawley Creek Ranch
....., of Ruby Valley
....., Street and No. or P.O. Box No. Nevada 89833 City or Town
....., hereby make..... application for permission to appropriate the public
..... waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
..... tion; if a copartnership or association, give names of members.)
..... Dawley Creek Ranch, February 2, 1976, Ruby Valley, Nevada

1. The source of the proposed appropriation is Underground
..... Name of stream, lake or other source.
2. The amount of water applied for is 0.033 cfs second-feet
..... One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet..... acre-feet
3. The water to be used for Stockwater
..... Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated).....
 - (b) Stockwater (state number and kinds of animals to be watered) 200 Cattle
 - (c) Other use (describe fully under "No. 12. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: Unsurveyed Franklin Lake,
T 29 N, R 58 E, MDB & M., at a point from which the NW corner of Section 2,
..... Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
T 29 N, R 58 E, MDB & M., bears N. 7° 11' 48" W 11,819.53 feet
..... it should be stated.
6. Place of use A stock trough just east of and adjacent to the point of diversion
..... Describe by legal subdivision, if on unsurveyed land it should be so stated.
being within T 29 N, R 58 E, MDB & M. (land is unsurveyed, see remarks).
7. Use will begin about April 1 and end about September 15, of each year.
..... Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well and 30 foot diameter by 21 inches
deep stock trough.
..... State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works. \$5,000
10. Estimated time required to construct works. one year
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use. 3 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The proposed point of diversion lies within the unsurveyed portion of the dry Franklin Lake bed. Due to this location and that there are no protraction diagrams or future plans to survey the area by the Cadastral Survey Office, the place of use cannot be noted by legal subdivision.

By s/Alan S. Boyack

Signature, applicant or agent

Compared js/ cs ja/bl Alan S. Boyack, Agent
515 South Fifth Street
Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0062 cubic feet per second, or sufficient water to water 200 head of cattle.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before January 24, 1984

Proof of completion of work shall be filed before February 24, 1984

Application of water to beneficial use shall be made on or before January 24, 1986

Proof of the application of water to beneficial use shall be filed on or before February 24, 1986

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed

Completion of work filed MAR 12 1984

Proof of beneficial use filed

Cultural map filed FEB 19 1988

IN TESTIMONY WHEREOF, I PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of JANUARY

A.D. 1983

ENGINEER

State Engineer